



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, D.C. 20554

News Media Information: (202) 418-0500
Fax-On-Demand: (202) 418-2830
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

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Petition to Deny Filing Periods for Non-Reserved Channel FM and FM Translator Applications

Filing Periods to be Announced via “Broadcast Applications” Public Notice

On September 27, 2001, the Mass Media Bureau (“Bureau”) released a Public Notice announcing a window to permit settlements for certain closed groups of non-reserved channel mutually exclusive broadcast construction permit applications.¹ Many mutually exclusive applicants have availed themselves of the opportunity provided by the Bureau to file universal settlement agreements to resolve application conflicts. The Audio Services Division (“Division”) staff is now prepared to act on these applications. However, some of these applications have never been subject to a petition to deny filing period.²

By this Public Notice, the Division announces that it will use public notices generated by the Bureau’s Consolidated Database System to start the thirty-day period for filing petitions to deny these applications. The public notice entitled “Broadcast Applications” will list such applications as “Accepted for Filing.”³

¹ These application groups were previously identified in “Window Opened to Permit Settlements for Closed Groups of Mutually Exclusive Broadcast Applications,” *Public Notice*, DA 01-2242 (released September 27, 2001). The settlement period was extended through February 15, 2002 in “Extended Settlement Period for Closed Groups of Mutually Exclusive Broadcast Applications Announced,” *Public Notice*, DA 01-2890 (released December 14, 2001).

² The Commission froze all ongoing comparative cases pending resolution of questions raised in *Bechtel v. FCC*, 10 F. 3d 875 (D.C. Cir. 1993). “FCC Freezes Comparative Hearings,” *Public Notice*, 9 FCC Rcd 1055 (1994), *modified*, 9 FCC Rcd 6689 (1994), *further modified*, 10 FCC Rcd 12182 (1995). Competitive bidding processing procedures were adopted by the Commission in *Implementation of 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Services*, MM Docket No. 97-234, GC Docket 92-52 and GEN Docket No. 90-264, *First Report and Order*, 13 FCC Rcd 15920 (1998), *reconsid. denied*, 14 FCC Rcd 8724 (1999).

³ See 47 C.F.R. § 73.3584.

For further information contact Rudy Bonacci or Jim Bradshaw, Audio Services Division, at 418-2780.